

REMARKS

Applicant submits this Response in reply to the Final Official Action dated January 13, 2011. Applicant submits that this Response is fully responsive to the Final Official Action for at least the reasons set forth herein.

Applicant hereby requests that this amendment submitted under 37 CFR § 1.114 along with a Request for Continued Examination (RCE) be entered and the examination of the application be continued.

Applicant submits an English translation of the application, together with a statement that the translation of the certified copy of the application is accurate, to perfect a claim to priority under 35 U.S.C. § 119 (a)-(d), and to claim the filing date of the Japanese application, September 29, 2000, from which this U.S. application claims priority.

At the onset, Applicant has amended claims 9, 10 and 12. Specifically, claims 9, 10, and 12 have been amended to recite, *inter alia*, that the execution and completion of the demand information and supply information is in accordance with the relationship between each of the 5W1H-format category.

No new matter has been added to the application by way of the aforementioned amendments. For example, Applicant respectfully directs the Examiner's attention to pages 6 and 7 of the original specification. However, Applicant notes that the identified section is presented

only for the convenience of the Examiner by way of example and is not intended to be an exhaustive list.

Claims 9, 10 and 12 were rejected under 35 U.S.C. § 103(a) as being allegedly unpatentable over Wilson et al., U.S. Pat. Pub. 2002/0133387 (hereinafter “Wilson”) in view of Huang et al., U.S Patent No. 6,151,582 (hereinafter “Huang”).

Initially, Applicant respectfully submits that Wilson is not prior art. The instant application has a foreign priority date of September 29, 2000. Wilson was filed on June 29, 2001 which is after the instant application’s foreign priority date. As discussed above, an English language translation of applicant’s application is submitted to perfect the benefit under 35 U.S.C. 119(a)-(d). In accordance with MPEP 706.02(b), applicant respectfully requests that the Examiner establish that the priority document satisfies the enablement and description requirements of 35 U.S.C. 112, first paragraph, to complete perfecting the benefit under 35 U.S.C. 119(a)-(d).

Notably, Wilson purportedly claims the benefit of provisional application serial no. 60/214,910. The provisional application was filed on June 29, 2000. However, Applicant submits that the provisional application does not teach or suggest the claimed invention and even if the reference conceptually teaches an information management system, the provisional application does not have an enabling disclosure. Additionally, the provisional application does not disclose any operable system or method.

The Examiner requires that applicant specifically point out sections of the cited reference that are not supported by the provisional application (Advisory Action mailed April 22, 2011, continuation sheet). Accordingly, applicant points out that the provisional application does not contain the Figures presented in the Wilson application as published. Specifically, the provisional application does not contain Figure 3 or text describing the process shown in Figure 3 of Wilson, such as paragraph [0046]. The Examiner cites this paragraph of Wilson as teaching populating supply information based off of the demand information (Final Office Action mailed January 13, 2011, page 2). The provisional application contains neither text nor Figures that teach this feature.

Further, the Examiner contends that applicant has not shown that one skilled in the art would not know how to write a program to meet the business requirements set forth in the provisional application (Advisory Action, continuation sheet). However, the provisional application includes a PowerPoint presentation that merely outlines project objectives and goals. In the competitive summary section of the presentation, the slide states “advantages for UPS to prove and *develop*” and “challenges *to overcome*”. The second to last page of the presentation identifies several different strategies for *obtaining* an IP solution, one of which is to *assign a team to evaluate and develop* an IT solution. On the last page of the presentation, the document explicitly states that “*no integrated, scaleable IT solution exists today*” and timing is “*12-18 months*”. Clearly, as of the date of the presentation, no solution had been developed, but rather goals for the solution were identified, concepts were discussed and the need for a plan to implement the solution was established. Applicant respectfully submits that the provisional application was prepared by one skilled in the art who admits, as discussed above, that

significant effort would be required to write a program to meet the business requirements set forth therein. Clearly, based on Wilson's own text, applicant shows that one skilled in the art would not know how to write a program to meet the business requirements set forth in the provisional application.

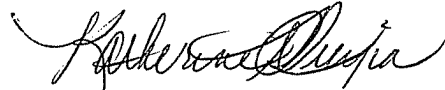
Accordingly, applicant submits that Wilson is not a proper reference and should be removed.

Further, even if Wilson were a proper reference, Wilson does not teach or suggest the features of the present invention as recited in the claims as amended herein. In particular, Wilson does not teach or suggest a business process executed with respect to execution and completion of said demand information and said supply information in accordance with the relationship between each of the 5W1H-format category. As the Examiner acknowledges, Wilson teaches one definition, "the definition is always how the request will be filled (which warehouse) and who/where/when etc the client is requesting" (Office Action mailed January 13, 2011, page 4). Hence Wilson does not teach a relationship between each of the 5W1H-format category and executing a business process in accordance with this relationship.

Therefore, Applicants respectfully request withdrawal of the rejection of claims 9, 10 and 12 pursuant to 35 U.S.C. § 103(a) as the claims are not obvious in view of the cited references.

Based upon the foregoing, Applicants respectfully submit that the application is in condition for allowance and henceforth solicit a Notice of Allowability. Should the Examiner believe that a telephone interview would expedite allowance of the application; the Examiner is kindly requested to contact the undersigned.

Respectfully submitted,



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Encl. Certified English translation of Japanese Patent Application No. 2000-299841